

Remarks

Claims 9-18 were rejected as anticipated by ITAKURA et al. 6,356,893. Reconsideration and withdrawal of the rejection are respectfully requested.

Claim 9 is directed to an audience side terminal unit that includes three "means-plus-function" limitations that are to be interpreted under §112, sixth paragraph. The corresponding features are shown, for example, in Figure 2 and 4. The audience side terminal includes receiving means for receiving the sets of provided information from an information distributor side device. The audience side terminal unit also includes comparing means for comparing seller side information with buyer side information and selecting means for selecting provided information paired with seller side information for which the number of matched items with the buyer side information is largest. In other words, the audience side terminal compares the information from the information distributor side device and then makes a numerical comparison to select the information with the largest number of matches.

ITAKURA et al. do not describe an audience side terminal unit with features that perform the same three functions in the same way to achieve the same result as the claimed three means plus function limitations and thus the reference does not anticipate the subject matter of claim 9. As explained at column

7, lines 24-53, the user inputs his or her characteristics, which are passed to the message distributor. As noted beginning at line 47, the message distributor, not the audience side terminal unit that includes the receiving means for receiving the provided information, makes a comparison by searching URLs of messages and selects those URLs for messages match and sends the URLs to the user terminal, who then uses the URLs to receive the selected messages. ITAKURA et al. do not disclose that a comparison is to be made at the user terminal where the sets of provided information are received, or that the selected messages are based on a numerical comparison of the matches among the characteristics, and thus claims 9-13 avoid the rejection under §102.

Claims 14-18 are directed to a method in which plural sets of provided information and seller side information are distributed from the information distributor side device to a plurality of audience side terminal units, the plurality of audience side terminal units receive the plurality of sets, the audience side terminal units compare the seller side information and each item of buyer side information, and the audience side terminal units select provided information paired with the seller side information for which the number of matched items with the buyer side information is largest. ITAKURA et al. do not

disclose all of these steps and thus claims 14-18 avoid the rejection under §102.

In ITAKURA et al., the provided information is not distributed to the audience side terminal units; the URLs are distributed in the reference. In ITAKURA et al., the audience side terminal units do not compare the seller side information and each item of buyer side information; the message distributor 28 does this in the reference. In ITAKURA et al., the audience side terminal units do not select provided information paired with the seller side information for which the number of matched items with the buyer side information is largest; the reference does not have the audience side terminal before a numerical comparison at all.

Further, as to claims 9-13 and 21, we would like to point out that the receiving means receives the plurality of sets of provided information and seller side information. Such a feature is not disclosed nor suggested in any reference.

In claims 14-19, the distributing step is to distribute the plurality of sets of provided information and seller side information. Such a feature is not disclosed nor suggested in any reference.

Claims 1-8 were rejected as unpatentable over ITAKURA et al. in view of NAGATOMO et al. 6,717,522; and claims 19 and 21 were rejected further in view of KURIHARA 5,815,666 and claim 20

was rejected further in view of both NAGATOMO et al. and KURIHARA. Claims 6-8 have been canceled and reconsideration and withdrawal of the rejections of claims 1-5 are respectfully requested.

Claim 1 includes the receiving, comparing and selecting means discussed above that are to be interpreted under §112, sixth paragraph. In this regard, the shortcomings of ITAKURA et al. are noted above. The Official Action relies on NAGATOMO et al. solely for the suggestion to broadcast the provided information. The comments above do not rely on the broadcasting feature to distinguish the claimed invention. Further, what is broadcast in NAGATOMO et al. is merely an ID and is not a plurality of sets of provided information and seller side information. On the other hand, according to claims 1-5, what is broadcast is the plurality of sets of provided information and seller side information. Accordingly, in view of the comments above the combination of ITAKURA et al. and NAGATOMO et al. lack the motivation, suggestion, reason or teaching to provide the features noted above as missing from ITAKURA et al. and thus claims 1-5 avoid the rejection under §103.

Claims 19-21 depend from claims 14, 1 and 9 respectively and are allowable for the reasons given above.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been

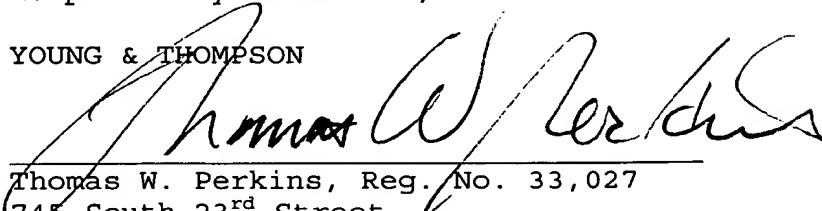
Application No. 09/989,069
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placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

Respectfully submitted,

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